
DENIAL OF PREHOSPITAL CARE CERTIFICATION

PURPOSE

To establish local policies for the denial of an application for initial or renewal certification for prehospital care personnel

POLICY

The Medical Director shall adhere to the following guidelines in considering denial of an application either for prehospital care certification or for renewal of prehospital care certification, and in ensuring appropriate due process to applicants where denial of certification is recommended:

General Considerations for Denial

1. Gross negligence in providing prehospital care services
2. Repeated negligent acts in the provision of prehospital care services
3. Incompetence as a prehospital care provider
4. The commission of any fraudulent, dishonest, or corrupt act which is substantially related to the qualifications, functions, and duties of prehospital personnel.
5. Conviction of any crime which is substantially related to the qualifications, functions, and duties of prehospital personnel.
6. Violating or attempting to violate directly or indirectly assisting in or abetting the violation of, or conspiring to violate, any provision of the California Health and Safety Code or the regulations promulgated by the State EMS Authority pertaining to prehospital care personnel.
7. Violating or attempting to violate any federal or state statute or regulation which regulates narcotic, dangerous drugs, or controlled substances.
8. Addiction to the excessive use of, or the misuse of, alcoholic beverages, narcotics, dangerous drugs, or controlled substances.
9. Functioning outside the supervision of medical control in the prehospital field care system except as authorized by any other license or certification.
10. Demonstration of irrational behavior or occurrence of a physical disability to the extent that a reasonable and prudent person would have reasonable cause to believe that the ability to perform the prehospital care duties normally expected may be impaired.

Specific Cases Where Denial is Strongly Indicated

1. The applicant is required under Section 290 of the Penal Code to register as a sex offender for any offense involving force, duress, threat, or intimidation.
2. The applicant habitually or excessively uses or is addicted to narcotics, dangerous drugs, or alcohol, or has been convicted during the preceding seven years of any offense relating to the use, sale, possession, or transportation of narcotics, addictive or dangerous drugs.
3. The applicant has been convicted during the preceding seven (7) years of any offense punishable as a felony and involving force, violence, threat, or intimidation, or has been convicted of theft during that period.
4. The applicant has knowingly falsified or failed to disclose a material fact in his/her application.
5. The applicant is found to have more than one misdemeanor within the preceding seven (7) years on record which is substantially related to the qualifications, functions, and duties of prehospital care personnel.

Basis for Due Process

An applicant who has been initially denied prehospital care certification or renewal of such certification is entitled, with limited exception, to contest that action in accordance with the “Emergency Medical Services Personnel Certification Review Process Guidelines” found in Chapter 6 of Division 9, Title 22, California Code of Regulations. Local EMS agency staff shall assure that all such applicants are apprised of this due process right. This right, however, is not available to any applicant whose certification denial is based on one or more of the following grounds:

1. Failure to pass a certification examination or to meet any other requirement(s) for certification or continuation of certification/accreditation
2. Revocation, suspension, or denial of an applicant’s prehospital care certification by any local EMS agency medical director prior to the existing application process
3. Fraud in the procurement or attempted procurement of any prehospital care certification relating to eligibility in accordance with Section 1798.200 of the Health and Safety Code